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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,531	11/06/2003	Ching-Shun Chang	CHAN3229/EM	8132

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EXAMINER

LOPEZ, MICHELLE

ART UNIT PAPER NUMBER

3721

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/701,531

Applicant(s)

CHANG, CHING-SHUN

Examiner

Michelle Lopez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been received.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-6, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Settles (US 2,875,731). Settles' 731 discloses a shock-absorbing structure installed in an pneumatic tool having a housing comprising a mounting body via "38"; a first fitting hole at the vicinity of "29"; a second fitting hole at the vicinity of "34"; a receiving hole (not shown numerically) between the first fitting hole and said second fitting hole (see Fig. 1); a first locating portion "29" disposed at a rear side of said first fitting hole; a second locating portion "34" disposed in said second fitting hole; a shock-absorbing socket "21" mounted on the impact unit "11" of said pneumatic tool; a socket body "22" axially movably mounted in said receiving hole inside the housing; a first coupling portion "26" connected to the first locating portion "29" via a first spring coil "31" connected between said first coupling portion "26" and said socket body "22"; a second coupling portion "27" connected to the second locating portion "34" of said housing via second spring coil "36" connected between said second coupling portion "27" and said socket body "22"; a front cap "32" with a cap body (see Fig. 1); a mounting portion (not shown

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numerically) transverse to "34" and fitted against "38"; a through hole at the vicinity of "33" axially extended through the cap body for the passing of the impact unit "11" of said pneumatic tool; a stop portion disposed at one side of said cap body at the rear side of "33" and stopped against said second spring coil "36"; and the first and second spring coil are independent members respectively fastened to the socket body "22".

With regards to claim 6, as shown in Fig. 3, when the spring "58" is fully compressed, a stop edge via "59" is inherently adapted to support a protruding edge or flange of a second coupling portion of "53" at the vicinity of the spring "58" for the purpose of providing a shock absorbing socket "53" axially displaced within a pneumatic tool housing.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-3 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Settles'731 in view of Lin (US 6,668,942). Settles'731 discloses the invention substantially as claimed except for that the first coupling portion "26" and the second coupling portion "27" are fastened to the first and the second locating portions respectively by a thread joint. However, Lin'942 teaches a first coupling portion "111" and a second coupling portion "12" fastened by a thread joint to a first locating portion at the vicinity of "51" (see Figs. 4-5) and a second locating portion at the vicinity of "30" respectively for the purpose of properly mounting and connecting

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a damper "10" to a pneumatic tool while providing axial movement of the damper inside the pneumatic tool housing. In view of Lin'942, it would have been obvious to one having ordinary skills in the art to have provided Settles' invention with the first coupling portion and the second coupling portion threaded fastened to the first and the second locating portions respectively in order to properly mount and connect the socket body or damper to the pneumatic tool while providing axial movement of the damper inside the pneumatic tool housing.

With regards to claim 9, Settles'731 does not disclose a seal ring mounted on the periphery of the socket body and disposed in contact with the tool housing. However, Lin'942 teaches seal rings "17,22" mounted on the periphery of the socket body "10" and disposed in contact with the tool housing "20" for the purpose of sealing the compressed air in the receiving hole. In view of Lin'942, it would have been obvious to one having ordinary skills in the art to have provided Settles' invention with at least one seal ring mounted on the periphery of the socket body and disposed in contact with the tool housing in order to seal the compressed air in the receiving hole.

With regards to claim 10, Settles'731 does not disclose that the shock absorbing socket "21" has thread means for fastening to the impact unit. However, Lin 942 teaches a shock absorber socket via "10" with thread means "12" for the purpose of threading fastening the socket "10" to a tool impact unit "30" of the pneumatic tool. In view of Lin'942, it would have been obvious to one having ordinary skills in the art to have provided Settles' invention with a shock absorber socket having thread means in order to threading fastening the socket to a tool impact unit of the pneumatic tool.

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4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Settles'731.

Settles'731 disclose the invention substantially as claimed except for the first and second spring coils "31,36" being formed integral with said socket body. However, it would have been an obvious matter of design choice to have provided Settles' invention with the first and second spring coils "31,36" being formed integral with said socket body, since applicant has not disclose that providing two spring coils integrally formed with a socket body solves any stated problem or is for any particular purpose and it appears that Settles' invention would perform equally with two spring coils "31, 36" as two independent members fastened to the socket body "22" for the purpose of providing axially movement to the socket body by the stretching and compression of the springs in order to provide a vibration or shock absorbing structure for a pneumatic tool.

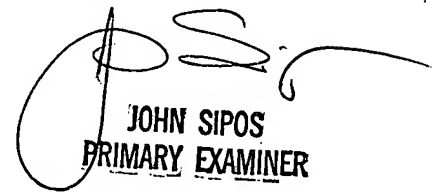
Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Eklof'535, Goppen'086, Elkin'408, Nilsson'292, Melocco'894, Wiklund'083, Ehmig'847, Pfister'243, Liu'628, and Tsai'997 are cited to show related inventions.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle Lopez whose telephone number is 703-305-8205. The examiner can normally be reached on Monday - Thursday: 8:00 am - 6:00 pm.

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7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JOHN SIPOS
PRIMARY EXAMINER